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EXAMINER: Satyendra Singh

FROM: David R. Saliwanchik

COMPANY: U.S. Patent Office
Art Unit 1651

DATE: June 7, 2006

FAX NO.: (571) 273-8300

NO. OF PAGES
(INCLUDING COVER SHEET): 2

SUBJECT/MESSAGE:

Re: Serial No. 10/535,585; filed May 18, 2005
Attorney Docket No. SPO-121

1. Election under 35 USC §121 (1 page).

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I hereby certify that this correspondence is being
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June 7, 2006David Saliwanchik
David R. Saliwanchik, Patent Attorney

ELECTION UNDER 35 USC § 121
Examining Group 1651
Patent Application
Docket No. SPO-121
Serial No. 10/535,585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Satyendra Singh
Art Unit : 1651
Applicants : Kume *et al.*
Serial No. : 10/535,585
Filed : May 18, 2005
For : Nutritional Compositions

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION UNDER 35 USC §121

Sir:

In response to the written Species Election Requirement dated May 22, 2006, the applicants hereby elect to prosecute the species of a whey protein isolate (WPI).

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Respectfully submitted,

David Saliwanchik

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DRS/Ja

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